From Local Government Caucus
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Volume 1
Findings and Recommended Actions

Changes all in Caps

Observation regarding page 5, items #16 & 17. The reality of water resource planning in the coming years will move local governments and water agencies closer together in a cooperative manner due to a number of factors, not the least of which is efficiency of use of budget $.

While the draft of the plan seems to hint at this evolution, but does not clearly call out the need for more closely coordinated plans and the integration of water resources planning in the context of local General Plans, ground water plans, watershed plans and other venues such as TMDL watershed efforts and flood plain / flood control / safety element (of general plans) coordination.

Just as discussions of conjunctive use projects move us into a comprehensive evaluation of surface and ground water resources, the need for integrated resources plans across jurisdictional boundaries - as regionally based efforts - is already upon us. Perhaps the plan could speak to this "early on" in the document.

Page 1, of Recommended Actions, item #1 change as follows:

"To provide for the future, California must rely on a diverse set of water management stategies to (1) use and manage its existing water supplies efficiently, (2) implement new technologies to further water conservation, WATER RECYCLING, augument supplies..."

Page 7, item #7 change as follows:

"The State AND LOCAL AGENCIES AND GOVERNMENTS needs to PARTICIPATE IN THE inventory, evaluatION, and PROPOSE MANAGEMENT STRATEGIES TO DEAL with the CAUSE AND effects of contaminants on surface water and ground water quality."

Page 8 item #12 change as follows;

"DWR and other State agencies should encourage and assist representatives from disadvantaged communities and vulnerable populations, which have experienced SIGNIFICANT disproportionate adverse health and environmental impacts..."

Strategy Investment Options Table

Changes all in Caps

Note mm, footnote to same #3 change as follows:

"The Calfed SOLUTION area represents a portion of the state...."

END

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Volume 1
Chapter 1, Water Plan Overview

Changes all in CAPS

Page 1, Second Paragraph, change as follows:

"...the film industry,AGRICULTURE AND FORESTRY AS WELL AS RECREATION are only a few of the businesses that make California a unique AND DIVERSE economy. IT WOULD HAVE BEEN EXTREMELY DIFFICULT IF NOT ACTUALLY IMPOSSIBLE TO HAVE DEVELOPED THIS VIBRANT AND DIVERSE ECONOMY WITHOUT THE NATURAL AND MAN MADE INFRASTRUCTURE THAT TOGETHER COMPOSE CALIFORNIA'S WATER SYSTEM. CALIFORNIA OWES MUCH TO ITS GEOGRAPHY, CLIMATE AND WEATHER PATTERNS. CONVERSELY IT IS THE DEVELOPMENT OF THE WATER RESOURCES OF THE STATE WHICH PROMULGATED MANY OF THE CONDITIONS AND OPPORTUNITIES THAT SUSTAIN THE STATE TODAY."

Page 6, first bullet, first paragraph change as follows:

"Regional planning can improve communication and collaboration within a region, which can provide benefits beyond any specific recommendation of the plan. Through a regional plan, ESPECIALLY ONE WHICH INCORPORATES WATERSHED BASED PLANNING UNITS, a region can better articulate its water management needs IN A MANNER WHICH EMPHASIZES BOTH MAN MADE AND NATURAL INFRASTRUCTURE, to State and Federal agencies and elected representatives..."

Page 11, Table 1-xx objectives of first goal, change as follows:

"Regions develop regional WATERSHED BASED integrated resource plans to meet multiple water management objectives."

Page 11, Table 1-xx objectives of second goal, change as follows:

d. "State leads an effort to develop a MAN MADE AND NATURAL INFRASTRUCTURE rehabilitation and maintenance plan for the State, Federal and local INFRASTRUCTURE ASSETS."

Page 11, Table 1-xx objectives of second goal <u>add new item</u> h, as follows (all following is a new section):

"The State shall work towards planning for its water resources management in a manner which recognizes the importance of the watersheds as a component of the natural infrastructure. Much of California's water resources originates within watersheds which are Federal land holdings. Those Federal lands are subject to the Unified Federal Policy for Watersheds (UFP) as described in the Federal Register on 2/25/00 Vol 65, No. 35. The UFP guide the actions of key Federal agencies such as the Department of Agriculture, Commerce, Energy and Interior as well as the Environmental Protection Agency and the Army Corps of Engineers. This policy emphasizes the following:

Assessing the functions and condition of watersheds
Incorporating watershed goals in Federal agency planning and programs
Enhancing pollution prevention
Improving monitoring
Restoring watersheds
Identifying waters of exceptional value
Expanding collaboration among Federal agencies, States, Tribes and interested stake holders."

Page 13, Strategy Investment Options Table footnote (mm) footnote #3 change as follows:

"The Calfed SOLUTION area represents a portion of the State."

Chapter 2
California Water Today

Page 17, Box 2-xx Watershed Management add as follows (ALL THAT FOLLOWS WOULD BE NEW):

"ADDITIONALLY FEDERAL AGENCIES ARE SUBJECT TO THE Unified Federal Policy for Watersheds (UFP). The UFP guide the actions of key Federal agencies such as the Department of Agriculture, Commerce, Energy and Interior as well as the Environmental Protection Agency and the Army Corps of Engineers. This policy emphasizes the following:

Assessing the functions and condition of watersheds
Incorporating watershed goals in Federal agency planning and programs
Enhancing pollution prevention
Improving monitoring
Restoring watersheds
Identifying waters of exceptional value

Expanding collaboration among Federal agencies, States, Tribes and interested stake holders."

Chapter 5
Implementation Plan

Page 4, Recommended Action #2, paragraph 2 change as follows:

...and empower regions to implement their plans. THE REALITY OF WATER RESOURCES PLANNING IN THE COMING YEARS WILL MOVE LOCAL GOVERNMENTS AND WATER AGENCIES TOGETHER IN A COOPERATIVE MANNER DUE TO A NUMBER OF FACTORS, NOT THE LEAST OF WHICH IS EFFICIENCY IN THE USE OF BUDGET FUNDS...."

Page 5, Recommended Action #2, performance measures add new item as follows:

"MEASURABLE PROGRESS THROUGH THE DEVELOPMENT, ADOPTION AND IMPLEMENTATION OF WATERSHED BASED, INTEGRATED RESOURCE MANAGEMENT PLANS, BY LOCAL AND REGIONAL AGENCIES AND GOVERNMENTS IN A MANNER SO AS TO MOST EFFICIENTLY UTILIZE PUBLIC FUNDS AND STATE ASSISTANCE."

Recommended Action #7, page 13, change first paragraph as follows:

"The State AND LOCAL AGENCIES AND GOVERNMENTS needs to PARTICIPATE IN THE INVENTORY, evaluatION and PROPOSE MANAGEMENT STRATEGIES TO DEAL with the CAUSE AND effects of contaminants on surface water and ground water quality."

Recommended Action #12, page 21 change as follows (first paragraph)

"DWR and other State agencies should encourage and assist representatives from disadvantaged communities and vulnerable populations, which have experienced SIGNIFICANT, disproportionate adverse health and environmental impacts..."

END

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Conjunctive Management and Groundwater Storage

We believe this piece accurately lays out the potential benefits and downsides to conjunctive management and ground water storage. We believe that the introduction on page 1 should include a note that both Calfed and local/regional surface storage projects are related to conjunctive management. Right now that connection is missing.

Page 2 identified how much DWR's Conjunctive Water Management Program has awarded in grants and loans throughout the state. What would be helpful here is an indication as to (on average) what % of the total project costs this number represents. For example, is there a local agency amount being invested equal to that amount, 10% of that amount?

Page 3 identifies the benefits of the Orange County Groundwater Replenishment System (GWR). One of the benefits is that the GWR results in a decreased "*...reliance on imported water from northern California and the Colorado River.*" We think this statement should make clear that to the extent there is a lessening of a local reliance due to the DWR on north state water, there is not a reduction in import of north state water. Indeed, under the Napa/UOP/SDIP (Calfed) criteria more, not less, north state water will be exported to the south state.

Page 5's first paragraph correctly identifies the important role of local government through land use planning decisions with regards to ground water recharge. If anything we would like to see this section expanded to amplify the importance of local land use management agencies and how they incorporate ground water recharge as a resource to be properly managed and incorporated into planning doctrine. The second paragraph - dealing with water quality - should also emphasize the role of local land use planning and regulation in the protection of water quality.

Missing on page 5 is any connection between ground water recharge spreading basins and the potential risk to human health from mosquito carried diseases. Groundwater spreading areas can be a breeding ground for significant numbers of mosquitos which may carry deadly disease. This is an important factor in terms of diseases which put human life at risk such as encephalitis and west nile virus.

Page 5 rewrite item #1 (Recommendations) as follows:

"THE DEVELOPMENT of regional groundwater management plans SHOULD BE CARRIED OUT IN COOPERATION WITH OTHER LOCAL AGENCIES THAT HAVE AUTHORITY IN THE FOLLOWING AREAS; GROUND WATER REGULATION AND PLANNING, SURFACE WATER, LAND USE PLANNING AND REGULATION, HEALTH SERVICES, AND ENVIRONMENTAL PROTECTION. Local water

management agencies should ALSO coordinate with other agencies that are involved in activities that might affect long term sustainability of water supply and water quality with the basin or adjacent to the basin. ADDITIONALLY, LOCAL AGENCIES SHOULD CONSULT WITH OTHER AGENCIES AND LOCAL GOVERNMENT EARLY IN THE PLANNING STAGES OF ANY PROJECT DEVELOPMENT." (note to readers remainder of paragraph remains the same).

Page 6 item #3 change to read:

"Give priority for funding and technical assistance to conjunctive projects that are conducted in accordance with a groundwater management plan THAT HAS BEEN PREPARED IN COOPERATION AND CONSULTATION WITH OTHER LOCAL AGENCIES, GOVERNMENTS AND STAKEHOLDERS THROUGH AN OPEN AND PUBLIC PROCESS. FUNDING PRIORITY SHOULD BE TO THOSE PROJECTS WHICH INCREASE WATER SUPPLIES AND HAVE MULTIPLE BENEFITS INCLUDING THE SUSTAINABLE USE OF GROUNDWATER, MAINTAINING OR IMPROVING WATER QUALITY, HEALTH AND HUMAN SAFETY, LAND USE PLANNING AND REGULATION AND enhancing the environment." (note to readers remainder of paragraph remains the same).

Page 6 item #4 change to read:

(note to readers existing paragraph remains the same add the following) "GROUNDWATER MANAGEMENT ASSESSMENTS SHOULD ALSO INCLUDE AN EVALUATION OF HOW CONSULTATION AND COOPERATION WITH OTHER LOCAL AGENCIES AND GOVERNMENTS AS WELL AS OTHER STATE AND/OR FEDERAL AGENCIES HAS BEEN CARRIED OUT AS AN INTEGRAL PART OF THE MANAGEMENT STRATEGY OF INTEGRATED RESOURCES MANAGEMENT PLANNING."

END

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CONVEYANCE
RESOURCE STRATEGY

Changes all in CAPS

Generally, the piece provides a good overview of the role of conveyance in the State's water system and the scope of the benefits and complexity of the system. We did note that while conveyance facilities were identified as both natural (rivers and streams) and man-made there was a disconnect of sorts on this point. That is, maintenance of man made systems was highlighted, however, the maintenance/management of natural systems (rivers, streams and the watersheds that support them) was overlooked. This "historic" but incorrect bifurcation of conveyance systems should not be perpetuated in Bulletin 160-04.

Specific comments follow:

Page 3 Benefits of Conveyance change second sentence as follows:

"...in maintaining or increasing water supply reliability, PROTECTION OF WATER QUALITY, augmenting current water supplies..."

Page 3, Benefits of Conveyance change fifth sentence as follows:

"...that IN SOME CASES improving water supply reliability through system flexibility is just as valuable as increasing overall supply."

Page 3, Benefits of Conveyance add additional bullet point as follows:

PROTECTION OF WATER QUALITY

Page 4, Major Issues Facing Conveyance - Maintenance change as follows:

"It is essential at a minimum to maintain the current level of capacity for both natural and constructed facilities. This is likely to take on greater importance over time due to aging water infrastructure, the increasingly higher costs of maintenance and the increasing demands with increasing population. While concerns are likely to focus on adequate financial resources to maintain conveyance infrastructure, there is the special case of diminishing conveyance capacity of natural water courses. This is most critical from both a water conveyance and flood passage standpoint in the channels of the Delta. IN ADDITION, RIVERS AND STREAMS DEPEND UPON A WATERSHED WHICH IS IN GOOD CONDITION AND STABLE OR IMPROVING IN TREND, SO AS TO PROVIDE THE CRITICAL FUNCTIONS OF SNOW PACK STORAGE, RUNOFF, WATER QUALITY, AND PERCOLATING GROUNDWATER. THUS,

WATERSHED MANAGEMENT ACTIVITIES WILL ALSO REQUIRE INVESTMENT AS PART OF THE NATURAL INFRASTRUCTURE OF THE STATE'S WATER SYSTEM.

Page 5 first paragraph last two lines:

"...that the downstream water users could or should be more committed to ASSISTING IN managing the natural infrastructure, such as watersheds, from which their imported water originates."

Page 5, Recommendations, item #2 change as follows:

"Assure adequate resources to maintain existing MAN MADE AND NATURAL conveyance facilities and capacity AND CONDITION.

END

From Local Government Caucus
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ECONOMIC INCENTIVES

CHANGES APPEAR ALL IN CAPS

Current use of Economic Incentives in California

Page 1, Observation on first paragraph

Water agencies are able to utilize water sales (charges) to fund their planning activities. The Bulletin 160, as well as the Governor's Office of Planning and Research have advanced the cause of integrated resources planning with closer water agency local government cooperation - which is a positive. There should be recognition that cities and counties are more limited in their ability to collect fees that can be used to pay for long-range planning. Therefore, to the extent that public funds are considered as a source of revenue, the plan should incorporate a recognition for the need to assist local governments in paying for planning activities.

Page 4, Recommendations to Help Promote Economic Incentives

First bullet item: This proposal would have the Calfed Bay Delta Authority proposing appropriate water measurement for all water uses in California. The Calfed Bay-Delta Program does not geographically encompass all of the land area of California and therefore it is questionable if areas which are not in the Calfed Solution Area, are not part of the Calfed Bay-Delta Program (including its funding sources) and which are not represented on the Bay-Delta Authority, should be subject to Calfed directives. This should be rewritten so as to provide a clearer distinction between the entire state and Calfed.

Observation on bullet items. The present water pricing structure of most water purveyors externalizes at least some environmental costs which represent a portion of the supporting natural infrastructure in collection and conveyance. That is, watershed management and restoration costs are for the most part externalized from the cost of water by the agency and the user. In terms of creating a long-term sustainable system it would seem prudent for the Bulletin 160 to recognize this disconnect between customers and the watersheds.

Page 5, please add an item #6 as follows:

"THE STATE SHOULD EVALUATE THE CURRENT SITUATION REGARDING COLLECTING OF WATER FEES AND THE RELATIONSHIP OF THOSE FUNDS

TOWARDS INVESTING WITH A CONSIDERATION OF MAINTENANCE AND MANAGEMENT OF NATURAL CONVEYANCE SYSTEMS AND WATERSHEDS."

END

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FLOOD PLAIN MANAGEMENT

Changes all in Caps

Page 1 add new bullet point as follows:

"REDUCE FLOODING RISKS TO HUMAN LIFE "

Page 2, Benefits of Flood plain Management first paragraph third line change as follows:

"BY MAKING LOCAL LAND USE DECISIONS WHICH REFLECT AND IMPLEMENT FLOOD PLAIN MANAGEMENT THE OBJECTIVES OF MORE OPEN SPACE, AGRICULTURAL AND NATIVE PLANT HABITATS COULD BE ACHIEVED AND MAINTAINED. MANAGING DEVELOPMENT WITHIN THE FLOOD PLAIN TO REFLECT THESE OBJECTIVES, AND REMOVING SOME DAMAGEABLE PROPERTY FROM THE FLOOD PLAIN, CAN SIGNIFICANTLY REDUCE POTENTIAL FUTURE FLOOD RISK TO PEOPLE AND PROPERTY...."

Page 5, Recommendations for Flood plain Management item #1 change as follows:

"DWR and The Reclamation Board should lead the development of a LOCALLY BASED consensus process, INVOLVING LOCAL GOVERNMENTS, AGENCIES and appropriate stakeholders, to identify criteria and prioritize the implementation of Task Force recommendations, given the expected expenditures, using existing and new funding sources..."

END

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System Reoperation

Our general impression of the System Reoperation paper is that it did a good job of explaining the processes related to reservoir reoperation and those physical and institutional challenges facing proponents.

Unfortunately, the paper did not explore and amplify on the notion of systemwide reoperation opportunities. For example, there is no mention of the Napa/South Delta discussions and plans which - through mostly just reoperation and some limited construction - could lead to significant increases in export deliveries with potential benefits to in-Delta as well as upstream areas.

This paper is lacking "vision" as it relates to the last iteration of the Napa/UOP approach: which I believe illustrates the actual potential of innovative reoperation planning. Those key reoperation elements included (but are not limited to):

1. Modified pumping operations (up to 8,500 @ Banks under specified criteria).

2. Protections for in-Delta agricultural users for supplies and water quality.

3. Protections for in-Delta urban users (Contra Costa) through alternate diversion point.

4. Coordinated operation of State Water Project and Central Valley Project, taking advantage of the symbiotic relationship between the two regarding pumping capacity (state) and reservoir capacity (federal) to improve the delivery reliability of both.

5. Cooperative exploration of methods to reduce salinity through targeting specific problem areas such as Frank's Tract and refuge runoff.

6. Accommodating early deliveries in some cases to accommodate differing needs of south-of-delta agricultural users.

7. Recirculation of export water back into the San Joaquin river system for fisheries and quality flows, when used in conjunction with VAMP and reoperation of New Melones Reservoir.

8. Upstream water supply gains resulting from the total package, with emphasis on item #7.

We therefore strongly urge that you include the NAPA/UOP example provided above. Please feel free to amplify and add more detail as you see fit.

Specific comments on the paper are as follows;

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Page 1, line 2;

"...facilities to OPTIMIZE MULTIPLE beneficial uses."

Second to last page insert new item #1

#1 REOPERATION ANALYSIS AND IMPLEMENTATION SHOULD, WHEN FEASIBLE, BE CARRIED OUT ON A WATERSHED-WIDE BASIS INCORPORATING ALL APPLICABLE WATER MANAGEMENT FACILITIES SO AS TO MAXIMIZE OPPORTUNITIES FOR MAXIMUM BENEFICIAL USE OF RESOURCES.

END

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Surface Storage - Calfed

We have the following comments and suggested changes on the Surface Storage - Calfed Resource Paper.

Proposed changes will appear in all Caps.

Page 1, paragraph 1:

"...long-term comprehensive plan to restore ecological health and improve water management for beneficial uses of THE STATES WATER SYSTEM AND ENVIRONMENT WITHIN THE CALFED SOLUTION AREA.

Last bulleted item on page 1:

"Millerton Lake Enlargement or a functionally equivalent SURFACE storage PROJECT in the region..."

Page 1, last paragraph:

"As relevant and useful information becomes available, both stake holders and the public are notified to ensure that a broad array of input and responses are incorporated into the planning activities and documentation. HOWEVER, IF NEW SURFACE STORAGE PROJECTS PREMISED ON CALFED OBJECTIVES, CRITERIA AND PROCESSES CANNOT BE MADE FEASIBLE, THOSE PROJECTS MAY BE ABLE TO BE REDESIGNED OR CONFIGURED FOR LOCAL OR REGIONAL OBJECTIVES WHICH MAKE THEM FEASIBLE. AS CALFED STORAGE project costs, environmental effects, and benefits are compiled, regulators, the public and ultimately decision makers will be asked to respond to the evaluations and conclusions. THIS WOULD BE THE APPROPRIATE TIME FRAME TO CONSIDER SOME PROJECTS FOR RELEASE BY CALFED AND PERHAPS ALLOW THEM TO BE CARRIED ON IN SOME FORM AS LOCAL OR REGIONAL PROPOSALS.

Page 2, first paragraph:

...the CBD agencies have committed to science-based adaptive management that would allow their facilities operations to be modified as understanding of issues improves or new issues are identified. THE SIGNIFICANT CAPITAL COST OF SURFACE STORAGE PROJECTS MUST BE PAID FOR OVER MULTIPLE DECADES. THE CALFED COMMITMENT TO OPEN ENDED OBLIGATIONS FOR PROJECTS AND UNDEFINED OPERATIONS CRITERIA, MAY MAKE FINANCING AND PARTNERING VERY DIFFICULT IF NOT IMPOSSIBLE. SHOULD THAT OCCUR, IT

MAY BE PRUDENT TO EXAMINE THESE PROPOSALS AS MORE MODEST, MORE FOCUSED PROJECTS WHICH SERVE THE LOCAL AND REGIONAL NEEDS INDEPENDENT OF CALFED."

Page 2, third paragraph:

final line: "As assumptions require revisions, the projects will adopt the new assumptions in future studies. THIS EVOLVING PROJECT DEFINITION MAY MAKE FINDING WILLING FINANCIAL PARTNERS DIFFICULT UNTIL A CLEAR PROJECT PURPOSE AND LEVEL OF OBLIGATION IS FIRMED UP."

Page 3, paragraph 2 , last sentence:

"Implementation of individual surface storage reservoirs could augment average annual water deliveries TO THE STATE AND FEDERAL PROJECT EXPORT AREAS by anywhere from a negligible amount to over..."

Page 5, add a number 3 to list of recommendations:

3. IF ONE OR MORE CALFED STORAGE PROJECT PROJECTS ARE DETERMINED TO BE UNFEASIBLE DUE TO THE APPLICATION OF CALFED PLANNING AND OPERATIONS CRITERIA, THOSE PROJECT SITES AND DATA COLLECTED SHOULD BE MADE AVAILABLE TO POTENTIAL LOCAL AND REGIONAL INTERESTS WHICH MAY BE INTERESTED IN PURSUING THE PROJECTS UNDER DIFFERENT PLANNING AND OPERATIONS STANDARDS. THOSE AGENCIES SHOULD NOT BE CHARGED FOR THE DATA WHICH WAS DEVELOPED USING PUBLIC FUNDS.

END

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Surface Storage - Regional Local

The present draft tends to "muddy" the usual clarity of purpose of small local surface storage projects and injects far too many "fuzzy" Calfed like terms. Also completely lost in the paper is the fact that for some regions of the state the only likely opportunity for an exercise of County of Origin water rights will be in relatively small, local water supply proposals premised on surface storage.

This paper skips over that opportunity as it tends to "blur" the advantages of the local storage projects by infusing more of a "statewide" set of challenges. In all probability where local projects will be proposed (either as expansion of existing reservoirs or new reservoirs) in northern California they will focus primarily on local water supply needs: for the simple fact that most other water supply options are not available. Further, these projects (like their predecessors) will have fairly clearly defined beneficiaries and a focused operations plan.

Specific changes are proposed as follows (changes in all caps):

Page 1, line 1, "Surface storage has played AND WILL CONTINUE TO PLAY an important role in California..."

Page 1, second paragraph "The potential CALFED storage is intended to help meet CALFED goals and objectives which are not statewide in nature AND WHICH DO NOT FOCUS ON INCREASING NEW WATER SUPPLY AS A FUNCTION OF FIRM YIELD. Additional regional and local storage may be needed to help meet LOCAL AND REGIONAL WATER SUPPLY REQUIREMENTS AS WELL AS OTHER LOCAL AND REGIONAL, OR EVEN STATEWIDE NEEDS."

Page 2

In the identified potential benefits of new surface storage change as follows:

NEW FIRM YIELD OF WATER SUPPLY

RENEWABLE, NON POLLUTING, HYDROELECTRIC power generation

FLOOD CONTROL (delete the ambiguous term "management" as the latter is associated with more diffused methods of dealing with flood waters while dams generally tend to deal more directly - and effectively- with flood waters).

REVENUES TO THE OWNER AGENCY(IES) THROUGH A COMBINATION OF POWER AND WATER SALES (examples include Bullards Bar - Yuba County, New Don Pedro - Stanislaus County)

Next paragraph:

"The presence of new surface storage could allow ecosystem and water managers the flexibility to take actions and make real-time decisions that would not be possible without the storage. THOSE DECISIONS WOULD BE POTENTIAL BENEFITS TO LOCAL AND REGIONAL WATER SUPPLY, WATER QUALITY, POWER GENERATION, FLOOD CONTROL, RECREATION AND ENVIRONMENTAL ASSETS. More water transfers WITHIN REGIONS and between regions could be easier DUE TO THE SURETY OF SURFACE STORAGE OPERATIONS. FOR EXAMPLE, WATER COULD be released from upstream storage at appropriate times and IF the receiving regions WOULD ALSO have reservoirs THEY COULD store the transferred water..."

Next paragraph second sentence:

"New surface WATER storage, IN EXCESS OF LOCAL WATER SUPPLY REQUIREMENTS, COULD help provide water resources..."

Last Page Recommendations to Better Manage etc.:

Item #2, "Reservoir operators (NOTE TO BJ - STAKE HOLDERS DO NOT MAKE OPERATIONAL CHOICES OR DECISIONS FOR LOCAL PROJECTS. WHAT I AM TRYING TO DO HERE IS EMPHASIZE THAT PROJECT OPERATIONS ARE NOT DECIDED BY A FORUM IN SACRAMENTO OR OTHER STAKE HOLDER FORUMS AND FURTHER THAT WHERE CHANGES ARE DESIRABLE - BY SOMEONE ELSE - THAT FEASIBILITY SHOULD BE TESTED AGAINST PROJECT PURPOSES AND FINANCIAL CONSIDERATION) should continue to to adaptively manage operations of existing facilities to OPTIMIZE INTENDED PROJECT PURPOSES. WHERE FEASIBLE, OPERATORS SHOULD MANAGE PROJECTS IN RESPONSE TO IMPROVED UNDERSTANDING OF WATER SYSTEM AND WATERSHED COMPLEXITIES AND DEMANDS, WATER SUPPLY REQUIREMENTS AND WHEN OPERATIONALLY AND FINANCIALLY DESIRABLE IN RESPONSE TO CHANGES IN NATURAL AND SOCIETAL VALUES, AS WELL AS HYDROLOGY AND CLIMATE CHANGE.

END

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Water Transfers (these comments only reflect the views of the author and were not completed in time to obtain adequate local government caucus review and comment).

Page 5, Potential Benefits from Water Transfers, 2nd paragraph. These are estimates and as yet unsupported by adequate research and facts. It will probably take years of implementation and careful monitoring to determine the actual level of impacts associated with proposed levels of transfers.

Page 8, Economic Concerns 2nd paragraph. Long term economic impacts have resulted when water was diverted out of an area (even if technically not a transfer). The Owens valley is an example of a severely impacted source area, while Mono lake is an example of an impacted source environment.

Page 9, recommendations

Generally the paper does not capture the opportunity for cooperative planning and CEQA coordination that could take place. Further, it does not fully explain the role of local agencies and local governments in terms of CEQA implementation. Nothing below would require new legislation, and is indeed permitted under existing CEQA guidelines and case law.

I believe using these provisions in a proactive cooperative manner would improve the water transfer CEQA process. There are areas below in which DWR could provide technical assistance and perhaps some funding to develop "model" approaches to CEQA implementation. I would be glad to discuss this with you further at your convenience.

.....

A long-term transfer of water is subject to evaluation and analysis under the California Environmental Quality Act (CEQA). In most cases the lead agency (under CEQA) for the transfer will be either the State or a water agency. The latter may or may not actually be located (administratively) within the area from which the water is being transferred. There is then a distinction between the role of the County as both a Responsible Agency (PRC Code Sec. 21069 and Guidelines Section 15096 and 15381) under the auspices of CEQA as well as a "community of place". The latter distinguishes that the County is actually located <u>in</u> the area of the activity. The transferring entity, may not be within the "community of place" but rather be within a "community of interest".

While CEQA makes no legal distinction based upon these differences in place and interest, there may be great degrees of difference between the County and the

transferring agency, in terms of their perception of what is significant or not. Within the CEQA process these differences have implications between the role of the transferring agency as the Lead Agency and the County as the Responsible Agency.

County officials may be the only parties which have a high degree of local interest in the environmental and socio/economic impacts resulting from the transfer. Further, their threshold for significance may be much lower that the transferring entity. Following this along, CEQA provides for Responsible Agencies to require changes in a transfer proposal to lessen both direct and indirect impacts (CEQA Guidelines Section 15041).

To assure that their concerns are raised early and documented in the administrative record, Counties should formalize their CEQA early consultation role (CEQA Guidelines Section 15066) and notify local and state agencies of their expectations accordingly. Further, it is strongly recommended that the local decision makers of the County develop guidelines for transfers and "thresholds" of significance through a local public process in advance of specific transfer proposals (CEQA Guidelines Section 15064.7). These criteria could then be included in any 15066 consultation package.

Even in cases where the County is not a Responsible Agency requirements for consultation still exist (PRC Section 21104). Such consultation raises the potential to lessen impacts exist under the requirements on a Lead Agency for consultation with agencies with jurisdiction by law and a County.

END

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WATERSHED MANAGEMENT

CHANGES ALL IN CAPS.

Change first paragraph as follows:

line 1&2; "...evaluating, planning, MANAGING, restoring and organizing land and other resource use within a watershed to provide SUSTAINABLE human benefits..."

line 8; ...providing for SUSTAINABLE community needs."

Change second to last paragraph as follows:

"The natural processes that make watersheds VALUABLE to THE STATE are SUSCEPTIBLE TO DAMAGE and degradation. THAT DAMAGE THREATENS TO SIGNIFICANTLY IMPACT AND REDUCE THE ABILITY OF THOSE WATERSHEDS TO FUNCTION AND PROVIDE THOSE BENEFITS THE STATE DEPENDS UPON....and other processes that have diminished the overall quality of CALIFORNIA'S watersheds. This IS EVIDENT THROUGH REDUCTIONS IN WATER INFILTRATION, DEGRADATION OF WATER QUALITY, increased maintenance costs from erosion related impacts, changes in runoff PATTERNS AND TIMING, decreases in the ABILITY OF MOUNTAIN MEADOWS TO CAPTURE AND HOLD SNOW MELT AS GROUND WATER FOR LATER NATURAL ACCRETION INTO STREAMS, AND IN DECREASES IN THE POPULATIONS OF NATIVE FLORA AND FAUNA. THESE FACTORS SINGLY AND CUMULATIVE THREATEN THE STATE'S economy which is directly AND INDIRECTLY dependent on the condition AND TREND of IT'S WATERSHEDS."

Page 2, Issues Facing California Watersheds that Affect Water:

First paragraph change to read:

second line; "...and the evaporation of water back into the atmosphere. HOW THE LAND IS MANAGED CAN CAUSE a reduction in rainwater infiltration and THE TIMING and in some cases...Storms, especially in urban areas but also in SOME RURAL areas are now marked by high intensity runoff..."

tenth line; "...diversion of water from streams IN THE WATERSHED TO OTHER REGIONS OUTSIDE THE WATERSHED or the application of water imported from outside the watershed has IMPACTED AND MODIFIED ecological FUNCTIONS or altered the flow of water through the watershed."

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Second paragraph, line 1:

"Human activities alter nutrient cycles - Another important natural cycle is the nutrient cycle. As WATERSHEDS ARE DEVELOPED we tend to increase the amount of water soluble nutrients..."

line 6; "We ~~also see that we~~ often export nutrients..."

Third paragraph line 2;

"Many projects built in the past PRIOR TO ENVIRONMENTAL LAWS SUCH AS CEQA AND NEPA have ~~unthinkingly~~ disrupted migration..."

Page 3 Activities that improve watershed management rewrite as follows (this section all new language. The existing language pulls out specific actions and semi-policies which may not be applicable to all watersheds. Instead this section should speak to the INSTITUTIONAL actions that improve watershed management NOT the specific physical actions):

1. Watershed based planning activities should include an open public participation process which emphasizes those parties who are members of the community of place (live within the watershed) and those parties who are members of the community of interests (own assets, do business or have authority over resources within the watershed).

2. Watershed planning should when practicable be incorporated into the planning processes of local resource and land management planning agencies such as local cities, counties, water agencies and appropriate state and federal resource and land managers. Watershed plans and implementation projects should be developed in a manner which is consistent with and supports other local land and resources planning activities to the maximum extent possible. It should be recognized that watershed planning and other planning processes will require a significant commitment of effort to this coordination and consultation process.

3. Development of a watershed plan, with clearly stated goals and objectives, as well as measurable benchmarks is strongly recommended. Plans should be well circulated for input and comment prior to final adoption and implementation.

4. Projects and management activities carried out within the watershed should be consistent with those watershed goals and objectives and be tested against identified performance benchmarks.

5. Where practical and feasible, use a watershed wide approach to siting, design of projects as well as operations and implementation. This may provide opportunities for the coordinated operation of independent projects (see resources paper for System Reoperation) in a more productive and beneficial manner.

6. Conduct regular reporting of progress to local governments, members of community of place and interest, as well as appropriate state and federal agencies.

7. Incorporate adaptive management principles into project operations which are generally supportive of identified watershed goals and objectives, wherever feasible.

8. Build community infrastructure so that parties in the community of place have the financial and institutional capacity to participate in watershed planning efforts in a meaningful and productive manner. This should include; a funded watershed coordinator person, an education and public information resource, regular meetings open to the public, coordination and consultation with local land and resource managers.

9. Ongoing, sufficient funding sources at the state and federal level.

Page 3 last paragraph change to read:

"Current efforts at watershed management blend community GOALS and management consistent with THE ENVIRONMENTAL CONDITIONS OF THE WATERSHED..."

Page 4 first paragraph change to read:

In addition to the local and regional efforts, a number of statewide initiatives have recently been undertaken to improve our overall ability to practice watershed management. WHILE PAST BOND ACTS PROVIDED SPECIFIC FUNDING FOR WATERSHED PROJECTS (Proposition 204 and Proposition 13) recent bond acts stress the need for integrated plans and contain incentives to design projects consistent with these plans. THIS DEMONSTRATES JUST ONE MANNER IN WHICH WATERSHED PLANNING HAS EVOLVED IN THE PAST DECADE IN CALIFORNIA..."

Page 5 Connecting to other things in the watershed:

Change to read;

"Watershed management helps identify important aspects of the watershed CONDITION AND TREND THAT CAN BE USED TO GUIDE ACTIVITIES TO ACHIEVE A SUSTAINABLE WATERSHED IN A MANNER SUPPORTING COMMUNITIES OF PLACE AND INTEREST IN A SUSTAINABLE MANNER..."

From Local Government Caucus
Received 7/01/04

Last page Recommendations to Help Promote Additional Watershed Management

Change as follows:

#2. Watershed management assessments and plans must include quantitative efforts to improve water supply flexibility and the timing and amount of water available for diversions without SIGNIFICANTLY IMPACTING WATERSHED TREND OR CONDITION.

END